

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BEATRICE HUDSON,)	
)	
Plaintiff,)	8:05CV428
)	
v.)	
)	
OMAHA PUBLIC SCHOOL DISTRICT,)	ORDER
et al.,)	
)	
Defendant.)	
_____)	

This matter is before the Court on the Memorandum and Order by Magistrate Judge F. A. Gossett (Filing No. 4), directing the plaintiff to pay the filing fee in this case by no later than October 14, 2005, in the absence of which this case could be subject, without further notice, to dismissal without prejudice for lack of prosecution. The plaintiff has not paid the filing fee, and the deadline has expired.

Pursuant to 28 U.S.C. § 1915(e)(2), and because the plaintiff has failed to prosecute this case with diligence, the plaintiff's complaint will be dismissed without prejudice. Accordingly,

IT IS ORDERED that plaintiff's complaint is dismissed without prejudice.

DATED this 24th day of October, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court